

EXHIBIT 9

From: [Gray, Juliet \(CRT\)](#)
To: [Michael Rosman](#); [Michelle Scott](#); [Dale Conder](#)
Cc: [Braniff, Andrew \(CRT\)](#); [Smith, K'Shaani \(CRT\)](#); [Dinan, Christine \(CRT\)](#); [Crawford, Cecily \(CRT\)](#)
Subject: RE: Ultima
Date: Monday, May 9, 2022 11:35:49 AM

Michael,

There are no additional completed 408 reports available for production. The 2019 report is still a draft and the 2018 report is still in the review stage. These unfinished reports are protected by the deliberative process privilege. Once the reports are completed, they will be publicly available.

Thank you,
Juliet

Juliet E. Gray

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From: Michael Rosman <Rosman@cir-usa.org>
Sent: Friday, May 6, 2022 4:39 PM
To: Gray, Juliet (CRT) <Juliet.Gray@usdoj.gov>; Michelle Scott <Scott@cir-usa.org>; Dale Conder <dconder@raineykizer.com>
Cc: Braniff, Andrew (CRT) <Andrew.Braniff@usdoj.gov>; Smith, K'Shaani (CRT) <K'Shaani.Smith@usdoj.gov>; Dinan, Christine (CRT) <Christine.Dinan@usdoj.gov>; Crawford, Cecily (CRT) <Cecily.Crawford2@usdoj.gov>
Subject: [EXTERNAL] RE: Ultima

Are you not producing the 408 reports? If that's the case, could you just state so explicitly and set forth the basis?

Michael

From: Gray, Juliet (CRT) <Juliet.Gray@usdoj.gov>
Sent: Friday, May 6, 2022 9:30 AM
To: Michael Rosman <Rosman@cir-usa.org>; Michelle Scott <Scott@cir-usa.org>; Dale Conder <dconder@raineykizer.com>
Cc: Braniff, Andrew (CRT) <Andrew.Braniff@usdoj.gov>; Smith, K'Shaani (CRT) <K'Shaani.Smith@usdoj.gov>; Dinan, Christine (CRT) <Christine.Dinan@usdoj.gov>; Crawford, Cecily (CRT) <Cecily.Crawford2@usdoj.gov>
Subject: Ultima

Counsel,

We have located Danny Mandell, and he is available to be deposed on Monday, May 16 or Wednesday, May 18. He is located in Texas and has a stopping time of 3:30pmCT/4:30pm ET. Please let us know if either of those days works for you. We would like to reiterate that Mr. Mandell is not a managing agent of USDA, and he will be testifying only as to his personal knowledge. However, he will appear in response to an appropriate notice of deposition.

We should be able to let you know later today or Monday about the SBA deposition. In the meantime, I wanted to let you know that we have located a signed version of the adverse impact letter from Terri Denison that you used as Exhibit 13 in John Klein's deposition, and we are preparing it for production. The letter is otherwise identical except for the inclusion of Ms. Denison's signature.

Regarding the 408 reports, the 2018 report is still undergoing review and so is in the deliberative stage. The 2019 report is in the drafting stage.

Thank you,
Juliet

Juliet E. Gray

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